UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,995	01/22/2004	Frank Liebenow	P1962US01	6000

24333 7590 04/04/2007

GATEWAY, INC.
ATTN: Patent Attorney
610 GATEWAY DRIVE
MAIL DROP Y-04
N. SIOUX CITY, SD 57049

EXAMINER	
SUN, SCOTT C	
ART UNIT	**PAPER NUMBER**
2182	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/762,995	LIEBENOW, FRANK	
	Examiner	Art Unit	
	Scott Sun	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 December 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11 and 16-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *11-11, 16-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's amendment to the claims filed 12/19/2006 has been noted and entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-11, 16-30 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 16 is rejected under 35 U.S.C. 102(e) as being anticipated by Dayan (previously cited).

5. Regarding claim 16, Dayan discloses a method (using desk mat, figure 8) for providing power and interface ports to a portable device without using plugs or jacks located on said portable device, comprising:

Providing a charging mat (desk mat, figure 8) having a first plurality of contacts (conductive contacts described in figure 7) located upon its top planar surface (conductive area 12; column 7, lines 42-67) and said contacts being selectively provided power and data communications (providing power and data over power; column 7, lines 3-6; column 8, lines 59-61).

Placing at least two portable devices on said charging mat (multiple devices, column 10, lines 1-8), and each of said portable devices having a second set of contacts (contacts B1, B2 on conductive area 14 of mobile devices; column 2, lines 42-56) located upon its bottom planar surface, and at least two of said second set of contacts on each of said portable device mating with at least two of said first set of contacts and said second set of contacts providing a closed circuit, said closed circuits providing power and communications to each of said portable devices (column 3, 10-37); and

Transferring data between said at least two portable devices through said charging mat (column 8, lines 60-65; column 10, lines 1-8);

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1-11, 17-22, 29, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dayan further in view of Omidi (PG Pub 2003/0156012).

8. Regarding claim 1, Dayan discloses the charging mat (desk mat, figure 8) and charging circuit (charging circuit 26) as in claim 16 above, and further discloses a modulator/demodulator for converting data between a demodulated data form and a modulated data form, wherein said modulator/demodulator is configured to be connected with said charging mat for sending and receiving data via said plurality of conductive contacts (modulating data over power, column 8, lines 60-65).

Dayan does not disclose explicitly a data conversion circuit. However, Omidi discloses a data conversion circuit (adaptor cited in paragraph 20) to convert between two different interfaces (HomePlug and another format such as RJ-11, USB, serial or parallel port, and into a wireless such as Bluetooth, HyperLAN, etc, paragraph 20). Teachings of Dayan and Omidi are from the same field of data transferring, and specific of transferring data over power.

Therefore, it would have been obvious at the time of invention for a person of ordinary skill in the art to combine teachings of Dayan and Omidi by adding data conversion circuitry into Dayan's system for the benefit of compatibility with various industry standard devices.

Examiner further notes that Dayan teaches using Ethernet port with the charging mat system to provide network capabilities (column 8, lines 59-65). Even without teachings of Omidi, it would also have been obvious for a person of ordinary skill in the art to implement one or more industry standard interface connector to convert between

demodulated data over power and Ethernet format for the benefit of compatibility with Ethernet standard.

9. Regarding claim 2, Dayan and Omidi combined disclose claim 1, and Omidi further discloses wherein modulator/demodulator uses frequency modulation (HomePlug standard) to send data over said power and receive data from said power (HomePlug standard uses OFDM, a type of frequency modulation, paragraph 19).

10. Regarding claim 3, Dayan and Omidi combined disclose claim 1, and Omidi further discloses wherein each of said at least two interface connectors is one of: USB, Serial Port, Parallel port... (USB, serial port, parallel port, etc... paragraph 20).

11. Regarding claims 4 and 5, Dayan and Omidi combined disclose claim 1, and Examiner notes that using a cable or mounting the connector on the charging mat would have been a matter of obvious design choice for a person of ordinary skill in the art at the time of invention.

12. Regarding claim 6, Dayan and Omidi combined disclose claim 1, and Dayan further discloses wherein said charging circuit (sensing circuit) is housed within said mat (column 8, lines 54-57).

13. Regarding claim 7, Dayan and Omidi combined disclose claim 1, and Dayan further discloses a portable device (mobile device, notebook computer used as example), said portable device further comprising a bottom planar surface (adaptor unit), said bottom planar surface being substantially parallel with said top planar surface of said charging mat (column 8, lines 1-17);

a plurality of bottom surface contacts (contacts 120, 124) located on said bottom planar surface, at least two of said plurality of bottom surface contacts coming into contact with at least two of said plurality of conductive contacts providing a closed circuit (column 2, lines 36-42);

a power control circuit for extracting power from said closed circuit (electrical load 26) for extracting power from said closed circuit (column 3, lines 15-19);

a portable device modulator/demodulator for modulating and demodulating data over said closed circuit (column 8, lines 60-64). Examiner notes that Dayan teaching modulating data over power between the conductive contacts. Because data is exchanged between the mat and the portable device through these contacts, this would require both the portable device and charging mat to have modulation and demodulation circuitry.

14. Regarding claim 29, Dayan and Omidi combined disclose claim 1, and Dayan further discloses a charge control switching circuit (sensing circuit 66) in communication with said plurality of conductive contacts (column 4, lines 59-64), said charge control switching circuit being configured to determine which conductive contacts of said plurality of conductive contacts are in contact with contacts on a device positioned on top planar surface and being configured to route power and modulated data to said conductive contacts determined to be in contact with contacts of the device (column 3, lines 44-53).

15. Regarding claim 30, Dayan and Omidi combined disclose claim 29, and Dayan further discloses wherein said charge control switching circuit (sensing circuit 66) is

configured to detect a short circuit between any conductive contacts of said plurality of conductive contacts and upon detecting a short circuit, being configured to disconnect power from the conductive contacts having the short circuit (column 5, lines 8-13).

16. Regarding claims 8-11, 17-22 examiner notes that these claims contain limitations substantially similar to claims 1-7, 29 above. The same grounds of rejection are applied. Specifically regarding claim 19, examiner notes that the claim is substantially similar to claim 29, with the charge control switching circuit described in detail in claim 29.

17. Claims 23-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dayan (US Patent #6,913,477) in view of Omidi (PG Pub 2003/0156012) and further in view of Moroz et al (PG Pub #2001/0042150).

18. Regarding claim 23, Dayan and Omidi combined disclose claim 19 but does not disclose explicitly IDE interface and an internal drive. However, Moroz discloses a docking station containing a peripheral interface (internal peripheral interface 129, 131) wherein said peripheral interface is IDE and said peripheral interface is connected to a drive (hard drive, floppy drive, etc...) that is mounted within said charging mat means (expansion port within docking station, paragraph 22). Teachings of Dayan, Omidi and Moroz are from the same field of data transferring, and specifically of docking stations.

Therefore, it would have been obvious at the time of invention to combine teachings of Dayan, Omidi, and further with teachings of Moroz by using IDE peripheral

interfaces connected to a drive for the benefit of backing up data on a non-volatile storage.

19. Regarding claim 24, Moroz further teaches external IDE drives can be attached through peripheral connector 227 (paragraphs 31, 34). An external drive has the benefit of easy connection and replacement.

20. Regarding claims 25-28, examiner notes that the claims disclose various means for connecting a drive to the charging mat using various industry standard drive connectors (IDE, SCSI, SATA) similar to that of claim 23. In absence of persuasive evidence that a particular type of such means is significant, it would have been an obvious matter of choice to one of ordinary skill in the art to utilize any of the means as long as each performs the intended function of backing up data on a non-volatile storage. In re Dailey, 357 F.2d 669, 149 USPQ 47 (CCPA 1966).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Sun whose telephone number is (571) 272-2675. The examiner can normally be reached on M-F, 10:30am-7pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim N. Huynh can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SS

KIM HUYNH
SUPERVISORY PATENT EXAMINER

4/2/07